



OFFICE OF THE ATTORNEY GENERAL
STATE OF ILLINOIS

Lisa Madigan
ATTORNEY GENERAL

May 2, 2011

Kerry Sutton
Illinois State Police
Via Electronic Mail
kerry_sutton@isp.state.il.us

RE: FOIA Pre-Authorization Request – 2011 PAC 13867

Dear Trooper Sutton:

We have received and reviewed the written notice from the Illinois State Police of its intention to deny certain information as exempt from disclosure under section 7(1)(c) of the Freedom of Information Act (FOIA) (5 ILCS 140/7(1)(c) (West 2009 Supp.), as amended by Public Act 96-1378, effective July 29, 2010). The Illinois State Police seeks pre-authorization to withhold the name of the alleged victim in Agency Case #200901533 and #08-6789.

Section 7(1)(c) of FOIA exempts from inspection and copying "[p]ersonal information contained within public records, the disclosure of which would constitute a clearly unwarranted invasion of personal privacy, unless the disclosure is consented to in writing by the individual subjects of the information." The exemption defines "unwarranted invasion of personal privacy" as "the disclosure of information that is highly personal or objectionable to a reasonable person and in which the subject's right to privacy outweighs any legitimate public interest in obtaining the information." 5 ILCS 140/7(1)(c) (West 2009 Supp.), as amended by Public Act 96-1378, effective July 29, 2010.

DETERMINATION

The Illinois State Police's use of the exemption in section 7(1)(c) to withhold the alleged victims name in Agency Case #200901533 and #08-6789 is **approved**. We have concluded that the Illinois State Police has met its initial burden to demonstrate that the disclosure of the victim's name and information contained in these documents would be highly objectionable to a reasonable person. Under these circumstances, the right to privacy outweighs any public interest in the information that the Illinois State Police intends to withhold.

Trooper Kerry Sutton
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If you have any questions, please contact Tammy Friedewald at (217) 558-1926.
This correspondence shall serve to close this matter.

Very truly yours,

Amanda Lundeen

AMANDA M. LUNDEEN
Assistant Attorney General
Public Access Bureau

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cc:

